REMARKS

I. Claim Amendments

By the foregoing amendments to the claims, claims 56, 64, and 69 have been amended.

In particular, claim 56 has been amended to recite that the composition comprises "one or more" cycloglycans. This amendment is supported at least at page 3, lines 4-5 of the specification (stating that "both single inventive cycloglycans alone and several cycloglycans in combination may be used"). The claim has also been amended to recite that "the composition does not comprise an anti-infective active agent other than the one or more cycloglycans ." This amendment is supported throughout the specification, for example at page 9, lines 3-6 (noting that the present inventors have discovered that cycloglycans possess anti-infectious properties, and thus can be used to treat infection without necessitating the addition of further active agents). Furthermore, the examples describe compositions comprising cycloglycans but no other anti-infective active agent. Finally, additional amendments to claim 56 have been made to clarify the claim language. These amendments are merely editorial in nature and are not intended to change the scope of the claims or any elements recited therein.

Claims 64 and 69 have been amended to correct antecedent basis (i.e. to recite administering the composition rather than the cycloglycan) and to clarify that the composition is administered in an amount of 1 mg cycloglycan per kg body weight. This amendment is supported throughout the specification and at original claim 12.

The amendments to the claims, including cancellation of claims, have been made without prejudice or disclaimer to any subject matter recited or canceled herein. Applicants reserve the right to file one or more continuation and/or divisional applications directed to any canceled subject matter. No new matter has been added, and entry of the foregoing amendments to the claims is respectfully requested.

II. Response to Claim Objections

Claim 56 has been objected to for failing to end in a period, and for including a typographical error.

These informalities have been corrected herein. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objections.

III. Response to Claim Rejections Under 35 U.S.C. § 102

Claims 56-63, 65-68, 70-72, and 75 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Hirai et al. (U.S. Patent No. 4,616,008). This rejection is respectfully traversed.

Not to acquiesce to the rejection, but to advance prosecution, Applicants have amended the claims to recite that the composition does not comprise an anti-infective active agent other than the one or more cycloglycans.

In contrast to the present claims, Hirai et al. describe compositions comprising cephalosporin, an anti-infective active agent that is not a cycloglycan.

Thus, Hirai et al. does not teach each and every element of the present claims, and Applicants respectfully request reconsideration and withdrawal of this rejection.

IV. Response to Claim Rejections Under 35 U.S.C. § 103

A. Claims 56-72 and 75 have been rejected under 35 U.S.C. § 103(a) as allegedly being upatentable over Hirai et al.

B. Claims 56-72 and 75 have been rejected under 35 U.S.C. § 103(a) as allegedly being upatentable over Hirai et al. in view of Thornsberry (Clin. Infect. Dis. 14, S189-S196, 1992).

These rejections are respectfully traversed.

For at least the reasons set forth above, Hirai et al. does not teach or suggest the present claims. In addition, Thornsberry does not remedy the serious deficiencies of Hirai et al.

In particular, Hirai et al. relates to an antibacterial composition which comprises an antibiotically active cephalosporin compound and a cyclodextrin. The reference teaches that this composition is useful for the prevention and treatment of bacterial infections (see, e.g., abstract). However, it would have been immediately clear to a person of ordinary skill in the art that the cephalosporin is the anti-infective active agent,

whereas the cyclodextrin was not added as a pharmacologically active agent. For example, column I, lines 45-55, of the reference states that the composition comprising a cyclodextrin provides increased *in vivo* absorbability of the cephalosporin, indicating that the purpose of the cyclodextrin is to improve absorbability of the pharmacologically active agent. In addition, at the time of the present invention the anti-infective properties of the present cyclodextrins were not known (see, e.g., page 9, lines 1-2 of the specification, explaining that the cyclodextrins were only known to have solubility-improving properties). Thus, a skilled person would not have reasonably expected the reference compositions to be effective in the absence of the cephalosporin.

Furthermore, Thornberry et al. is completely silent with respect to cyclodextrins, much less providing any teaching or suggestion that that cyclodextrins might have anti-infectious activity.

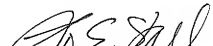
In view of the above, Applicants respectfully request reconsideration and withdrawal of the obviousness rejections.

CONCLUSION

In view of the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited.

In the event that there are any questions related to this response, or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney at the below-listed telephone number concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,

By: 
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